

7/15/71

Dear #ou,

In reading the 8th instalment of the affidavits in the S-I of 7/9, I note that Pershing's 1/13/71 meeting with Soule in Room 876 was "interrupted by a telephone call". The feds elected to leave his end of the conversation out of the affidavit, which can be natural if it is irrelevant or can be for other reasons.

Bearing on these other reasons, I find myself wondering ^{if} they had a direct tap through the switchboard, whether there were special phones in 876 and 276, which would seem to be in a vertical line, facilitating wiring of direct taps, and whether this would in any way involve parish or State laws or even the federal law, IF THE PHONE COMPANY DID IT. If this is the case, and if the management of the motel was involved, does it give you a means of doing or learning anything?

Returning to the interrupting phone call: I think it would be a mistake to assume it had to be irrelevant. Pershing did not have an add in the papers saying what rooms he was using for the transaction of federal business. Therefore, I have a hunch this call might have been one of instructions on which the government has waived any rights it might claim to withhold, and this, in turn, might bear very much on entrapment or framing. It seems pretty clear that there were permanent taps on the rooms PG used. Therefore, they recorded this call unless the call was from a control point from which the tap could be turned off. I think that in the end they will have to give you all the tapes of all the taps, and I think they will be seriously compromised if they cannot produce all, which will be proof of either destruction or alteration. There is precedent in even espionage cases of dismissal for refusal to produce intercepted phone conversations (Coplon case), and aside from all other considerations lawyers will understand as I do not, I remind you of the Jencks decision and the subsequent law. They cannot withhold part, if only because you are entitled to it for impeachment.

There seems to be indication of someone on the inside besides Soule and Frey. Maybe you have detected this. That part was edited in the original affidavits. This part (second column of story, first full paragraph) was paraphrased. It is pretty conspicuous to me. If true, it means someone not yet exposed, in turn meaning protection, if true, or the next one to surface.

I have also just received what to you are old clippings. The first instalment of the affidavits, especially the paragraph (s), suggests to me that in was an afterthought.

I have always wondered about a captain working as a private under a sergeant and thus always stayed away from Soule. However, now learning that he headed the vice squad before this big letdown that few people would take, his reason now being clear, I find myself wondering who assigned him to Jim. This could be important in any intended frame or entrapment, for the mere fact of his assignment to in could be used to rub seeming guilt off on Jim. Did not any of you wonder about a captain so assigned? Especially when he had just made captain?

There is obvious inconsistency between the statements that Gervais started cooperating with DJ in 6/69 and that the investigation was "a year long" one as of 6/30/71.

Also with the claim that while Pershing had long been wired for sound and had paid Jim off over so long a period, they have recordings for 3/7/ and 6/71 only, and that is not every two months in itself.

"Bribery Probe Just Starting", S-I, 7/1, says a strange thing, that although Marks gave PG \$2,000, all for payoffs, and that \$1,000 of this went to Soule and Frey, only the \$1,000 intended for delivery to JG was changed for marked bills. If they needed marked bills from Jim, why not the others? Seems proof they were out for Jim.

Superficially, I'd say they had a case long before 6/30 on the others, and that they delayed it only in the effort to ring Jim in.

If accurate and truthful, the 7/1 S-I story on Alford might indicate he is not to be an informant. There can be evasion in the quote that he had not "spoken to federal agents", but can he have spoken to other than agents, i.e., lawyers? If he presented the cases to the grand jury and was never asked to "ly off pinball or other cases", how was Jim earning his alleged \$\$\$? He may turn up as a defense witness?

These clippings I have just received include one from the LATimes by Nicholas Chriss, datelined New Orleans and containing what other stories do not. Now unless he is based in N.O. or just happened to be there, this might be indication of advance knowledge. Or, the government speaking and producing to the press in advance of the charging. It would seem to be close to impossible for him to have been in L.A. at the time the story broke, and I have the dated AP bulletins, then to have gotten to N.O., read the affidavits, etc., and have filed in time for printing in the issue of 7/1.

By the way, for when you have time, who downgraded the vice-squad command in the table of organization from captain to sergeant- and why?

Sincerely,